

Appl. No.: 10/578,697
Reply to Office Action of: 06/01/2009

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 3A, 3B, 4A, 4B and 4C.

In Figs. 3A and 3B, reference number --34-- has been added.

In Figs. 4A-4C, "34" has been changed to --50--.

REMARKS

Please note that an Information Disclosure Statement was filed on 8/6/2007. The examiner is requested to return the Form PTO 1449 to indicate that the cited reference was considered.

In regard to section 2 of the office action, the drawings have been amended to overcome the examiner's objections.

In regard to section 3 of the office action, changes have been made to the application to overcome the examiner's objections with the exception of mentioning that this case is a national stage application. This information will be printed on the front page of the patent automatically by the printer for the USPTO. If there is any confusion, the examiner can consult with his supervisor.

Claims 1-14, 22-24 and 29 were rejected under 35 U.S.C. 112, second paragraph. The examiner is requested to reconsider these rejections. The claims have been amended above to overcome the examiner's rejection.

Claims 1, 10, 11, 14, 16, 25, 26 and 29 were rejected under 35 U.S.C. 102(b) as being anticipated by Lektion et al. (US 6,198,472 B1). Claims 1-9, 14-24, 29 and 30 were rejected under 35 U.S.C. 102(b) as being anticipated by Sawyer (US 6,433,777 B1). Claims 10, 11, 25 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sawyer (US 6,433,777 B1) in view of Lektion et al. (US 6,198,472 B1). Claims 12 and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sawyer (US 6,433,777 B1) or Lektion et al. (US 6,198,472 B1) in view of Oueslati et al. (US 6,806,865

B2). Claims 13 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sawyer (US 6,433,777 B1) or Lektion et al. (US 6,198,472 B1) in view of Oueslati et al. (US 6,806,865 B2) and Peng (US 2003/0052861 A1). The examiner is requested to reconsider these rejections.

Claim 1 has been amended above to clarify applicants' claimed invention. Claim 1 claims that the extendible support comprises an upper portion and a lower portion, wherein the upper and lower portions are sized and shaped to be locked in the first configuration until the upper portion is manually directly axially rotated by a user relative to the lower portion. These features of claim 1 are not disclosed or suggested in the cited art.

The two main pieces of prior art Sawyer (US 6,433,777) and Lektion et al. (US 6,198,472) both have mechanisms similar to a ball point pen (push to extend and lock, and push to retract). The invention, on the other hand, can have a direct manual rotation of the upper portion 30 relative to the lower portion 32 by a hand of a user; extension and retraction is not automatic merely by pushing down on the upper portion. The cited art of record does not disclose or suggest upper and lower portions which are sized and shaped to be locked in a first configuration until the upper portion is manually directly axially rotated by a user relative to the lower portion as recited in claim 1. Therefore, claim 1 is patentable and should be allowed.

In addition, the "reversal" noted in claim 5 for example, is not the same. In the two references the "user action" is the

same for extension and retraction (merely a push action), but we can use clockwise and counter-clockwise rotations.

Though the claims dependent upon claim 1 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

Independent claim 15 has been amended above to clarify applicants' claimed invention. In particular, claim 15 claims that the extendible support comprises an upper portion and a lower portion, wherein the upper and lower portions are sized and shaped to be locked in the second configuration until the upper portion is manually directly axially rotated by a user relative to the lower portion without longitudinally moving the upper portion relative to the lower portion.

As noted above, the two main pieces of prior art Sawyer (US 6,433,777) and Lektion et al. (US 6,198,472) both have mechanisms similar to a ball point pen (push to extend and lock, and push to retract). The invention, on the other hand, can have a direct manual rotation of the upper portion 30 relative to the lower portion 32 by a hand of a user; extension and retraction is not automatic merely by pushing down on the upper portion. The cited art of record does not disclose or suggest the upper and lower portions are sized and shaped to be locked in the second configuration until the upper portion is manually directly axially rotated by a user relative to the lower portion without longitudinally moving the upper portion relative to the lower portion as recited in

claim 15. Therefore, claim 15 is patentable and should be allowed.

Independent claim 16 claims that the user input device comprises means for extending the extendible support in response to a first user action and for retracting the extendible support in response to a reversal of the first user action. The cited art of record does not disclose or suggest means for extending the extendible support in response to a first user action and for retracting the extendible support in response to a reversal of the first user action. Therefore, claim 16 is patentable and should be allowed.

Though the claims dependent upon claim 16 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 16. However, to expedite prosecution at this time, no further comment will be made.

Independent claim 30 has been amended above to clarify applicants' claimed invention. In particular, claim 30 claims that the input device comprises means for extending the extendible support in response to a direct manual rotation of the tactile member by a user's hand about an axis of extension of the extendible support. The cited art does not disclose or suggest means for extending the extendible support in response to a direct manual rotation of the tactile member by a user's hand about an axis of extension of the extendible support as recited in claim 30. Therefore, claim 30 is patentable and should be allowed.

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For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,

Mark F. Harrington 8/21/09
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

08/21/2009 Rusi Mezger
Date Name of Person Making Deposit